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Attorneys for Defendant
Synapse Group, Inc.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CHARLES T. MCNAIR,
THEODORE AUSTIN, DANIELLE
DEMETRIOU, USHMA DESAI and
JULIE DYNKO,

Plaintiffs,

v.

SYNAPSE GROUP, INC.,

Defendant.

CIVIL ACTION NO. 2:06-cv-05072
(JLL) (CCC)

**DEFENDANT'S NOTICE OF
MOTION TO STRIKE OR EXCLUDE
THE REPORTS OF DR. WARREN J.
KEEGAN**

To: Gary S. Graifman, Esq.
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PLEASE TAKE NOTICE that on August 16, 2010, the undersigned attorneys for defendant Synapse Group, Inc. shall move before the Honorable Jose L. Linares, U.S.D.J., United States District Court for the District of New Jersey, at the Martin Luther King Jr. Federal Building & U.S. Courthouse, Newark, New Jersey, pursuant to Fed. R. Evid. 402, 702 and Fed. R. Civ. P. 12(f), for the entry of an Order striking or excluding the reports of Dr. Warren J. Keegan that plaintiffs submit in support of their pending motion for class certification;

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendant shall rely upon Defendant Synapse Group, Inc.'s Memorandum of Law in Support of Motion to Strike or Exclude the Reports of Dr. Warren J. Keegan, dated July 19, 2010, which is submitted herewith; and

PLEASE TAKE FURTHER NOTICE that at that time and place aforesaid, Defendant will request that the proposed form of Order submitted herewith, in accordance with Local Civ. R. 7.1, be entered by the Court.

Date: July 19, 2010

KELLEY DRYE & WARREN LLP

By /s/ Geoffrey W. Castello
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Synapse Group, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this date, a true copy of Defendant Synapse Group, Inc.'s Notice of Motion to Strike or Exclude the Reports of Dr. Warren J. Keegan; Defendant Synapse Group, Inc.'s Memorandum of Law in Support of Motion to Strike or Exclude the Reports of Dr. Warren J. Keegan; and a proposed form of Order were served upon the attorneys for plaintiffs listed below via ECF and e-mail transmission.

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Dated: July 19, 2010

/s/ Geoffrey W. Castello
Geoffrey W. Castello